COURT MARTIAL

Citation: *R. v. Parent*, 2018 CM 4004

Date: 20180209
Docket: 201754

Standing Court Martial

Canadian Forces Base Kingston
Kingston, Ontario, Canada

Between:

Her Majesty the Queen

- and -

Corporal D.W.F. Parent, Offender

Before: Commander J.B.M. Pelletier, M.J.

REASONS FOR SENTENCE

(Orally)

Introduction

[1] Corporal Parent was found guilty at trial of one charge under section 130 of the *National Defence Act* (*NDA*) for knowingly uttering threats to cause death to Sergeant Duncan, contrary to paragraph 264.1(1)(a) of the *Criminal Code*.

[2] I now need to determine and impose an appropriate, fair and just sentence.

Facts and circumstances

[3] The facts relevant to the determination of sentence were introduced through testimony and one exhibit considered in the course of the trial. In addition, I have considered all of the evidence presented at the sentencing hearing, including the testimony of Warrant Officer Duncan, Major McCarthy and Corporal Parent, as well as documents received as exhibits.

[4] The offence was committed in the afternoon of 21 October 2016 when the offender, Corporal Parent, was at the Junior Ranks Mess at Canadian Forces Base (CFB) Kingston, having just attended a difficult meeting at his unit with Sergeant Duncan, a supervisor who had reprimanded him for not having attended his desk immediately after lunch. Corporal Parent was visibly upset and told colleagues he was displeased with his supervisor, Sergeant Duncan, saying he hated her. His venting towards his chain of command escalated to the point where he said that he wanted to kill them all and wanted Sergeant Duncan to feel as much pain and suffering as possible. Corporal Stevens, a colleague present, tried to calm and reason with Corporal Parent. However, Corporal Parent would not calm down and advised her not to be in the vicinity of his workplace building on base the next workday as he did not want her to be caught in the crossfire given that he would go in the field with a rifle and shoot them "one by one". She interpreted these words as meaning that he would shoot those belonging to the supervisory staff at the unit, including Sergeant Duncan. Corporal Stevens was in shock upon hearing these words and feared for the safety of the people, in her view, targeted. She also feared for Corporal Parent, realizing that he needed help and his threatening words were a call for help. She left the mess and went to Corporal Parent's workplace to speak with the supply officer to report the words she had heard and tried to get some help for Corporal Parent.

[5] Private Northrup-Smith was also present at the mess that afternoon. He rented a room in Corporal Parent's married quarters on base. He observed Corporal Parent returning from a meeting at work, visibly frustrated and angry, saying that he hated Sergeant Duncan and did not want to work for her anymore. He tried to calm him down but heard Corporal Parent say that he was going to shoot Sergeant Duncan in the face. He tried to reason with Corporal Parent by saying that he did not want to do that because then he wouldn't be around to take care of his son. Corporal Parent would have then replied, "They won't know it's me. They will never find the body." Private Northrup-Smith was shocked by this answer, but in his view, the threats heard from Corporal Parent on 21 October constituted a call for help.

[6] Warrant Officer Duncan testified at trial and at the sentencing hearing. She was informed of the threats concerning her by military police and her husband, who had been briefed by unit officials. She explained to the Court the significant impact the offence had on her as a soldier, on her sense of security at home and work.

[7] Major McCarthy, the officer commanding Corporal Parent's Logistic Support Squadron (LSS), explained at the sentencing hearing that Corporal Parent was placed on a period of counselling and probation (C&P) for misconduct as a result of the events of 21 October 2016 and successfully completed that period of evaluation which included an obligation to follow anger management training. He confirmed the substance of the testimony offered by the current supervisor of Corporal Parent, Sergeant Miles, to the effect that Corporal Parent's performance had been entirely satisfactory since the events. He mentioned that he tried Corporal Parent for what he qualified as a minor disciplinary offence of absence without leave, resulting from Corporal Parent having

slept in and missing morning physical training. Corporal Parent called his supervisor to inform her of the situation and arrived at work just over an hour late, taking full responsibility for his action. Major McCarthy imposed a fine of $100, which he qualified as a slap on the wrist, but adequate given that Corporal Parent had reacted appropriately in the circumstances.

[8] Corporal Parent testified at the sentencing hearing. He said he felt like an idiot for what he had done and expressed his regrets. He was lost and under enormous stress at the time and felt like venting would be good for him, although he realizes now that he should have been much more careful with his words. He stated he did not intend to cause any harm in relation to the threatening words he said at the time. He is grateful for the colleagues who reported his words and sought help for him. He apologized for the trouble he caused them. More importantly, he delivered an apology directly to Warrant Officer Duncan and her husband, both present in court, saying how terribly sorry he was for what he had done and for what they had to endure as a result of his actions.

[9] Through the testimony of Major McCarthy and Corporal Parent, the Court was informed that Corporal Parent had been arrested on 3 November 2017 in relation to the events of 21 October and released on a number of strict conditions which he had to abide by for the last 15 months. Contrary to what the documents introduced under the *Queen's Regulations and Orders for the Canadian Forces* (QR&O) paragraph 112.51(1) revealed, it would appear that I have to consider that Corporal Parent had spent one day of pre-trial custody in relation to the charge of which he was found guilty.

[10] To close its evidence on sentence, the defence introduced, by consent, a letter from Corporal Parent's physician to the effect that he had been consulted by Corporal Parent in the aftermath of the incident and had expressed regrets for the worry his comments had caused. He concluded, at the time and since, that Corporal Parent is at low risk of harming himself or others, having participated actively in his care, resulting in significant improvements in his mental state. The physician stated that there were no medical reasons precluding Corporal Parent from owning firearms, an opinion shared by Erin Merry, the therapist/social worker who has been counselling Corporal Parent for almost four years. She testified at trial and provided some background on mental health challenges Corporal Parent has been dealing with and his current outlook.

Position of the parties

Prosecution

[11] The prosecution submits that I should impose a sentence of detention for a period of 30 days. The prosecutor stressed the objectives of denunciation and general deterrence, while also submitting that specific deterrence and rehabilitation were considered in the decision to give precedence to what was characterized as the rehabilitative punishment of detention.

[12] The prosecution argues that a custodial sentence is required given that the conduct of Corporal Parent constituted a most egregious case of threat which connotes a significant lack of respect for the chain of command. Additionally, the prosecution submits that if I was to determine that the offender is to be sentenced to detention, the execution of that punishment should not be suspended. It is submitted that any mental health treatment required by the offender can be available at the Canadian Forces Service Prison and Detention Barracks in Edmonton and that the evidence is to the effect that his ex-spouse could be able to provide care for the offender's son during his absence.

Defence

[13] Defence counsel submitted that a sentence of a reprimand and a fine of $1,000 would suffice to meet the objectives of sentencing in this case. The defence suggests that the objectives of sentencing can be met without imposing a punishment of reduction in rank, suggesting that a substantial fine would get the attention of others and would meet the objective of deterrence while imposing a lesser financial strain on Corporal Parent than the drop in monthly pay consequential to a reduction in rank.

[14] Acknowledging the importance of the objectives of denunciation and general deterrence, defence counsel mentioned the need to ensure that the sentence imposed does not impede the offender's rehabilitation. The defence did not try to minimize the egregious circumstances of the offence and its significant impact on Warrant Officer Duncan.

Analysis

Purpose, objectives and principles of sentencing

[15] This case deals with an offence committed in military circumstances, involving an offender who is serving full-time on active service in the Regular Force. In performing my duty to determine the sentence, it is therefore particularly important that I keep in mind the purpose of the military justice system, namely the promotion of good conduct by the proper sanction of misconduct. Sentencing by military tribunals allows discipline, efficiency and morale essential to the operational effectiveness of the Canadian Armed Forces (CAF) to be enhanced, creating conditions essential for mission accomplishment.

[16] This military specificity does not mean that the purposes, objectives and principles applicable to sentencing at courts martial need to be entirely different than those applicable in the courts of criminal jurisdiction in Canada (*R. v. Tupper*, 2009 CMAC 5, paragraph 30). The fundamental purpose of sentencing in a court martial is to ensure respect for the law and maintenance of military discipline by imposing punishments that have one or more of the following objectives, referred to at section 718 of the *Criminal Code*:

(a) to denounce unlawful conduct and the harm done to victims and the community;

(b) to deter the offender and other persons from committing offences, in so doing protecting the public, including the CAF;

(c) to separate offenders from society where necessary;

(d) to assist in rehabilitating offenders;

(e) to provide reparations for harm done to victims or the community; and

(f) to promote a sense of responsibility in offenders, and acknowledgment of the harm done.

[17] When deciding what sentence would be appropriate, a sentencing judge must also take into consideration a number of principles:

(a) a sentence must be proportionate to the gravity of the offence and the degree of responsibility of the offender;

(b) a sentence should be increased or reduced to account for any relevant aggravating or mitigating circumstances relating either to the offence or the offender;

(c) a sentence should be similar to sentences imposed on similar offenders for similar offences committed in similar circumstances;

(d) an offender should not be deprived of liberty by imprisonment or detention if less restrictive sanctions may be appropriate in the circumstances; and

(e) a sentence should constitute the minimum necessary intervention adequate in the applicable circumstances. For a court martial, this means imposing a sentence composed of the least severe punishment or combination of punishments required to maintain discipline, efficiency and morale.

Objectives of sentencing to be emphasized in this case

[18] I agree with counsel that the circumstances of this case require that the focus be primarily placed on the objectives of deterrence and denunciation in sentencing the offender. The objective of rehabilitation must also be kept in mind as I must consider the impact of any sentence being proposed on the rehabilitation of the offender.

[19] The QR&O require that the judge imposing a sentence at a court martial considers any indirect consequence of the finding or of the sentence and impose a sentence commensurate with the gravity of the offence and the previous character of the offender. Indeed, sentencing is an individualized process both at courts martial and in the courts of criminal jurisdiction in Canada.

The offender

[20] Corporal Parent is a 35-year-old supply technician who is currently employed at the clothing stores on CFB Kingston, as a member of the LSS. He joined the Regular Force on 31 March 2009. He was posted to CFB Kingston in early 2011 following completion of basic training and qualification as a supply technician. He has since completed further training and obtained the requisite qualifications to achieve his current substantive rank as of October 2014.

[21] The evidence reveals that the incident of 21 October 2016 had an impact on the military career of Corporal Parent, as expected given the gravity of the situation. He was reassigned to the clothing stores following the events, a position he had experience with previously and liked. Despite the successful completion of the period of C&P by Corporal Parent in relation to his conduct, Major McCarthy was unable to confirm with certainty the prospects for future employment of Corporal Parent as this is a matter in which the base commander has a participatory role, by virtue of his status as commanding officer.

[22] As for Corporal Parent's personal situation, the Court has learned that he has shared custody of his seven-year-old son with his former spouse, from whom he separated in May 2016, a short time prior to the events.

The offence

[23] To assess the submissions of counsel on sentence the Court has considered the objective seriousness of the offence as illustrated by the maximum punishment that can be imposed. Offences under paragraph 264.1(1)(a) of the *Criminal Code* are punishable by imprisonment for a term not exceeding five years or to less punishment.

Aggravating and mitigating factors

[24] As provided in the enumeration of principles of sentencing, a sentence should be increased or reduced to account for any relevant aggravating or mitigating circumstances relating either to the offence or the offender. That being said, it is important to remember that one aggravating or mitigating factor, in isolation, cannot operate to increase or decrease the sentence to a level that would take it outside of the range of what would be an adequate sentence.

[25] As it pertains to the subjective gravity of the conduct, I consider that the actions by Corporal Parent on 21 October 2016, specifically the language and the threats he

expressed to his colleagues Corporal Stevens and Private Northrup-Smith to be most deplorable. I accept that Corporal Parent's actions were a way for him to express a call for help; that he did not intend for his words be conveyed to Sergeant Duncan or anyone potentially targeted and that he did not intend to follow through and cause any actual harm. However, it remains that by uttering threats with the intention to be taken seriously, Corporal Parent chose to use a tool of intimidation and violence, as recognized by the Supreme Court of Canada. This tool was used in the presence of peers and colleagues who were shocked by what they heard. Important in the military context is the fact that this tool of intimidation and violence was directed at fellow members of the CAF, specifically members of Corporal Parent's chain of command, who, by the very nature of military service, are owed respect and obedience. Superiors are not perfect: subordinates can legitimately feel aggrieved by actions of their superiors. However, such aggravation is not an excuse to turn to wrongful means to voice dissatisfaction rather than turn to legitimate avenues. The utterance of death threats breaks down the necessary cohesion and trust necessary to achieve any military mission. Therefore, I consider the offence committed in this case to be of significant gravity.

[26] Specifically, the circumstances of the offences in this case reveal the following aggravating factors:

(a) The specific nature of the threats conveyed by Corporal Parent. Not only did he make threats such as killing them all, but once challenged he reiterated with more specificity what he wanted to do and how he would do it;

(b) The threats were publicly directed at the chain of command. The threats were directed at members of the chain of command, in a public place, in the presence of persons belonging to that chain of command. Sergeant Duncan was specifically targeted for having enraged Corporal Parent in the performance of supervisory functions; and

(c) The effects of the threats on others. Most importantly, the effects of the threats on Sergeant Duncan and her husband, as well as those who witnessed the threats, and quite possibly members of the unit who were made aware of those threats. It is acknowledged that Corporal Parent cannot be held responsible for the actions undertaken by others to inform members of his unit of threats he would have uttered. Yet, as acknowledged by defence counsel in submissions, it is he who set the wheels in motion by uttering specific threats, specifically that he would shoot them all and had warned Corporal Stevens not to be near building C-36 to avoid being caught in the crossfire. It is not unreasonable to expect that those working in that building be made aware that such a threat had been made.

[27] The Court also considered the following mitigating factors arising either from the circumstances of the offences or the offender in this case:

(a) Corporal Parent's apologies and the regrets he expressed. I do believe the regrets expressed are sincere, especially considering elements of confirmation I perceive from the feelings verbalized by Corporal Parent to his doctor shortly after the incident. Corporal Parent apologized directly to Warrant Officer Duncan in open court for what she has had to endure and still has to go through because of his actions. I believe these apologies were heartfelt and sincere;

(b) Corporal Parent's collaboration with authorities. This collaboration manifested itself in Corporal Parent's consent in turning over his firearms to military police on 21 October 2016;

(c) Pre-trial incarceration and restrictive bail conditions. The strict conditions that Corporal Parent had to abide by for the last 15 months and the one-day pre-trial custody must be considered as Corporal Parent was arrested in relation to the offence he is being sentenced for today;

(d) The fact that Corporal Parent is a first-time offender. That is so even if his conduct sheet shows he was found guilty of absence without leave as, indeed, that conviction and the associated sentence were awarded on 26 January 2017, that is after the offence for which he is being sentenced today. As explained by the Court Martial Appeal Court (CMAC) in *R. v. Castillo*, 2003 CMAC 6, this conviction cannot be considered aggravating for sentencing purposes as it did not occur prior to the current offences under consideration;

(e) Corporal Parent's mental health condition at the time of the offence. Suffering from symptoms of depression since his separation a few months earlier, Corporal Parent was treated yet experienced difficulties in dealing with challenges brought on him by an assignment he found difficult at work; and

(f) Finally, the age of Corporal Parent and his past honourable service. The offender has close to nine years of honourable service and his health has improved to the point that he can hope to be able to make a valuable contribution to the CAF on operations and training. He has had a good post-offence conduct despite the incident of absence without leave which is minor and reflects that he has learned to take responsibility for his actions. Corporal Parent is still young and has the potential to continue making a positive contribution to Canadian society for many years in the future.

The sentence of detention proposed by the prosecution

[28] As mentioned previously, the prosecution requests that I impose a sentence of detention for a period of 30 days. In support of this request, prosecutors brought to my attention the precedent of *R. v. Rodrigue*, 2015 CM 4001, where I had imposed a punishment of detention for 30 days after the accused had pleaded guilty to one charge of uttering threats and two charges relating to improper storage and transport of weapons. The execution of the punishment of detention had been suspended in that case, which the prosecution identified as representing the top of the range of available sentences in terms of gravity.

[29] I am somewhat surprised at the submission to the effect that *Rodrigue* represents the top of the range of gravity and at the absence of civilian precedents offered to assist the court. That being said, I believe the circumstances in *Rodrigue* were significantly more severe than the circumstances of this case. Corporal Rodrigue had brought a weapon and ammunition to the unit and showed the weapon to a colleague to bolster his threat that he could do damage in the battalion where he was tried summarily the same day. Despite the similarity in that Corporal Rodrigue was also signaling a call for help, the two charges accompanying the charge of uttering threats were considered in arriving at a sentence of 30 days' detention given that the gravity of the threats was significantly bolstered by the demonstration of the means to carry those threats out on short notice.

[30] The prosecution had no other case to submit where a sentence of detention had been imposed, at court martial or otherwise, for any offender in any circumstances, whatsoever, that would resemble the case of utterance of death threats here. Consequently, having distinguished *Rodrigue* as a more severe case than this one, where detention was imposed for a relatively short period of 30 days and suspended, I have to conclude that detention would be too severe a punishment. This is the case even in consideration of the subjective gravity of the offence here, weighed against the well-recognized principle in law to the effect that a sentence involving incarceration of an offender is to be imposed as a last resort, as stated by the CMAC in *R. v. Baptista*, 2006 CMAC 1.

The sentence of reprimand and fine proposed by the defence

[31] The defence supported its submission for a sentence composed of the punishments of a reprimand combined with a fine of $1,000 on the basis of three court-martial precedents involving charges of uttering threats. In *R. v. Private T.V. Sterread*, 2009 CM 3010, the offender had expressed an intent to kill a fellow soldier while handling a knife. Following a guilty plea, he was sentenced to a reprimand and a fine of $500. The other precedent was *R. v. Thies*, 2014 CM 3007, where the offender was found guilty of mischief and uttering threats as a result of two incidents on-board ship where he had destroyed the mattress and threatened a shipmate who was about to be landed as a result of a complaint accusing him of having sexually assaulted another sailor. The military judge had imposed a reprimand and a fine of $1,000 despite the request from the prosecution for a sentence of imprisonment for a period of 30 to 90

days. Unfortunately, the precedential value of these cases is limited by the fact that the reasons for sentence offer very little detail as to the circumstances of the offences and the reasons why the military judge sided with the defence, besides the principle to the effect that incarceration should be imposed as a last resort. The third precedent cited by defence in submissions is the recent case of *R. v. Bellevue*, 2017 CM 1010, where a sentence of a reprimand and a fine of $2,000 was imposed for two counts of uttering threats in the workplace. Yet, that was a joint submission and, therefore, of limited precedential value.

[32] In my view, the three cases which resulted in sentences combining reprimands and fines are not as subjectively severe as the case at bar. The level of intimidation that Corporal Parent generated with his words by virtue of the details mentioned as to how he would accomplish his desire to cause pain and suffering, including the level of violence suggested, takes this case into circumstances of more significant gravity than the three cases cited by the defence. In my view, imposing a reprimand and a fine of $1,000 would be insufficient to meet the objectives of sentencing that I need to reach in this case, especially denunciation and deterrence.

Determination of the appropriate sentence

[33] To determine the appropriate sentence to be imposed, I must first consider the range of sentence applicable here. As I just mentioned, the punishment of detention is off the table. The next punishment down in the order of severity at section 139 of the *NDA* is reduction in rank. I believe that punishment is within the range of sentences which can be imposed in cases such as this one, where the offender is still serving. This punishment represents the top of the range of potential sentences in this case.

[34] As for the bottom of the range, I have rejected the submission of defence for a reprimand and a fine of $1,000. The next punishment up in the order of severity is a severe reprimand. In my view it would be necessary to combine this punishment with a fine to achieve the principles of sentencing.

[35] Having identified the maximum and minimum punishments I could impose, I have to keep in mind that the court should impose the least severe punishment that will maintain discipline. I must therefore start my analysis by the less severe punishment that would be appropriate and ask myself if that punishment or combination of punishments would be sufficient to meet the objectives of sentencing identified above, namely denunciation, deterrence and rehabilitation.

[36] Is the punishment of a severe reprimand combined with a fine sufficient to meet these objectives of sentencing? That combination of punishments has been widely used in the past and could well be adequate now. It is clear to me, however, that the impact of such a punishment on the objectives of denouncing the behaviour of the offender is more limited than a reduction in rank.

[37] As recognized by Bennett J.A. writing for the CMAC in *R. v. Reid and R. v. Sinclair*, 2010 CMAC 4:

> [R]eduction in rank is an important tool in the sentencing kit of the military judge. It signifies more effectively than any fine or reprimand that can be imposed the military's loss of trust in the offending member.

I have considered the argument from defence counsel to the effect that Corporal Parent's actions in sending a call for help did not involve the use of his rank. Yet, it would be a mistake to avoid the imposition of a reduction in rank simply on the basis that rank was not a factor in the commission of the offence. Indeed, a loss of trust may be generated in circumstances unrelated to an abuse of rank, yet impedes the ability of an offender to exercise the authority conferred by virtue of that rank. That being stated, no cases where a reduction in rank was awarded for an offence of uttering threats was submitted for my consideration.

[38] I fully appreciate the hardship that the imposition of a reduction in rank would generate, not only because of the fact that Corporal Parent would then be interacting with peers and greeting customers at the clothing stores as a private, but also because of the significant decrease in monthly pay by approximately $920, almost a 20% drop should Corporal Parent be reduced to the rank of private. Of course a rank can be regained by promotion at the initiative of the chain of command. However, depending on how long that promotion takes, the reduction can correspond to a significant fine, over $11,000 should Corporal Parent be reduced for a year. Yet, these harsh consequences make that punishment effective in achieving the objectives of denunciation and general deterrence.

[39] This is a close case. I have balanced the subjective gravity of the offence that this case highlights, including the impact on those who witnessed the threats or were targeted by them with the significant impact a sentence of reduction in rank would have on Corporal Parent, especially financially. I have also considered the mitigating factors mentioned. After having heard all of the evidence, I do believe that Corporal Parent's mental health condition at the time of the offence played a role in limiting his ability to identify solutions to get help in dealing with the difficulties he was experiencing at work at the time, including immediately before he uttered the threats constituting the offence. Of course, that is not an excuse and these difficulties do not absolve him of his responsibilities for his actions, nor can they have the effect of preventing the imposition of a sentence that would otherwise be appropriate. However, having heard and interacted with some of Corporal Parent's peers and supervisors throughout the trial and the sentencing hearing, I do understand the distress he may have felt by being confronted with a rigid leadership style which was likely not compatible with the mental condition he was in at the time. Again, that is not an excuse. However, the concerns for Corporal Parent expressed by colleagues and implied in the testimony of several leaders in his unit lead me to take the lenient approach in this case and dismiss the recourse to reduction in rank.

[40] In arriving at this conclusion, I cannot ignore the impact that the conduct of this trial had, not only on the offender, but also on the unit and the broader military community. It indicates that the behaviour of the offender has not been tolerated. It is being sanctioned and the fact that these proceedings are public may have a deterrent effect, as any one of the numerous persons who attended these court martial proceedings could attest.

[41] I do believe that a severe reprimand and a significant fine would serve the objectives of sentencing in this case. I find that the minimum sentence that will meet the interests of justice for a first-time offender like Corporal Parent is a severe reprimand and a fine of $3,000. I have not been provided with details about Corporal Parent's finances so I will provide for terms of payment for the fine.

Orders which may be imposed

[42] Counsel for the prosecution has submitted that it would not be necessary for the Court to impose an order under section 147.1 of the *NDA*, in order to prohibit the offender from possessing firearms, given that the evidence is to the effect that Corporal Parent poses no risk to himself or others. Considering the position of counsel on this issue and the evidence I heard, I have concluded that it would not be desirable for the safety of the offender and others for the Court to make such an order. The prosecution has not requested an order for the taking of DNA samples under subsection 196.14(3) of the *NDA*.

Conclusion and disposition

[43] Corporal Parent, I have decided, today, to be lenient in imposing a sentence on you, despite having been deeply troubled by what I heard in evidence as it pertains to the words you uttered on 21 October 2016. I believe the regrets you expressed in this courtroom yesterday and the apology you made directly to the main victims and to others in your unit are sincere. You appear to have realized the gravity of your lapse in judgement on that occasion. You came very close to walking out of this courtroom as a private, but the sincerity you displayed yesterday convinced me that your attitude has changed and you are on the road to rehabilitation. It is a long road and as you reflect I invite you to never minimize what you have done. As Corporal Stevens, a person who cared for you, put it in her testimony at trial, your words were indeed a call for help, but a dangerous one. These words have caused pain. They were criminal. Now that you have been sentenced, you will have to focus on using the positive outcome you say you have gained to assist you in tackling other challenges in your military duty beyond your comfort zone at the clothing stores. I trust you will be given a meaningful chance to regain the confidence of your peers and superiors so that you can achieve your full potential and contribute fully to your country without reoffending.

FOR THESE REASONS, THE COURT:

[44] **SENTENCES** you to a severe reprimand and a fine of $3,000, payable in six monthly instalments of $500, commencing no later than 1 March 2018. In the event you

are released from the CAF for any reason before the fine is paid in full, then any outstanding unpaid balance will be due the day prior to your release.

Counsel:

The Director of Military Prosecutions as represented by Major M.L.P.P. Germain and Captain K. Lynch

Major A.H. Bolik, Defence Counsel Services, Counsel for Corporal D.W.F. Parent